IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Public Interest Litigation No.80 of 2005

Bhagwan D Suryawanshi ..Petitioner.
vs
State of Maharashtra & Ors. ..Respondents

Mr Amit Sale for the petitioner.
Mr P.M.Patil AGP for respondent Nos. 1 to 3
Mr Kuldip Patil for respondent No.4.

CORAM: H.S. BEDI, C.J. ,&
V.M.KANADE, J.

DATE: November 30, 2006.

P.C.:-

In this PIL the decision of the State Government to transfer a part of the land used for the seed farm, for the purpose of construction of government office and District Courts in Sangli District has been challenged. The petitioner has in paragraph 2 raised the following issues:

a) Whether the land of agricultural department meant for agricultural purposes can be transferred to any other department for non-agricultural use contrary to the policy of government itself?

b) Whether the fully developed project of seed farm existing since last 47 years can be transferred to the other department for other non agricultural purposes?

c) Whether the alternative land provided to the seed farms will give immediate assistance to the agriculturists which they are in requirement?

d) Whether no other land can be made available by the Government of Maharashtra for constructing of premises of Municipal Corporation , Collector Office, Court?

A perusal of the aforesaid issues would reveal that they pertain to an administrative decision taken by the Government. We are of the opinion that the Government is competent to modify or change its decision in public interest. Concededly the Government is the owner of the land which is to be used for construction of government office and District Courts, Sangli. This too is in public interest.

We accordingly dismiss the petition.

CHIEF JUSTICE

V.M.KANADE, J.